

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SANDRA KERNAGHAN,)
)
)
Plaintiff,) No. 08 C 102
)
)
vs.) Judge St. Eve
) Magistrate Judge Nolan
CITY OF CHICAGO, et al.,)
)
)
Defendants.)

JOINT INITIAL STATUS REPORT

1. The Nature of the Case

- A. Attorneys: Daniel P. Kiss, Louis J. Meyer and Lawrence V. Jackowiak are the attorneys for the Plaintiff. Meghan Kennedy is the attorney for the City of Chicago. Anne Preston is the attorney for Defendant-Officers Vernon Mitchell Jr., Matthew Cline, Jose Cardo, Daniel DeLopez, John Dolan, Craig Dunderdale, Kenneth Urbon and Scott Wolff.
- B. Basis for Federal Jurisdiction: Federal subject matter jurisdiction, § 1983 case.
- C. Nature of the Claims: Plaintiff alleges unreasonable seizure, excessive force, failure to intervene, illegal search of home and unreasonable seizure of property.
- D. Major Factual and Legal Issues: The major factual issues are whether Plaintiff was arrested without probable cause, whether the Defendant-Officers used excessive force when arresting Plaintiff, whether Plaintiff's home was searched without legal justification, and whether Defendant-Officers improperly seized property.
- E. Relief Sought: Plaintiff seeks money damages.

2. Pending Motions and Case Plan

- A. Pending Motions: None.
- B. Discovery plan:
 - a) Type of discovery needed: Fact discovery concerning Plaintiff's claims.
 - b) Date for Rule 26(a)1 disclosures: Plaintiff served Rule 26(a)(1) disclosures to the City on February 19, 2008. Defendants to serve 26(a)(1) disclosures by July 11, 2008.

- c) Fact discovery completion date: October 31, 2008.
- d) Expert discovery completion date: March 20, 2009.
 - Plaintiff's expert report: On or before January 31, 2009
 - Defendants' expert report: On or before February 20, 2009
 - Plaintiff's rebuttal expert report: On or before March 6, 2009
- e) Date for filing of dispositive motions: November 21, 2008.
- f) Date for filing pre-trial order: 45 days after ruling on dispositive motions.

C. Trial:

- a) Jury trial: Has been demanded by both sides.
- b) Probable length: 4-5 days.
- c) Date the case will be ready for trial: May 2009.

3. **Consent to proceed before the magistrate judge:** There is not unanimous consent.

4. **Status of Settlement Discussions**

- A. State whether settlement discussions have occurred: No.
- B. Status of settlement discussions: None have occurred.
- C. Whether the parties request a settlement conference: The parties may request a settlement conference.

Dated: June 19, 2008

Respectfully Submitted,

/s/ Daniel P. Kiss
Law Offices of Lawrence V. Jackowiak
20 North Clark Street, Suite 1700
Chicago, Illinois 60602
(312) 795-9595
Attorney for Plaintiff

/s/ Meghan Kennedy
Assistant Corporation Counsel
30 North LaSalle Street, Suite 1020
Chicago, Illinois 60602
(312) 742-0116, (312) 744-9653
Attorneys for the City of Chicago

/s/ Anne Preston

Assistant Corporation Counsel
30 North LaSalle Street, Suite 1400
Chicago, Illinois 60602
(312) 742-4045
Attorney for Defendant-Officers